



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re application of:

Karel van den BERG

Appl. No. 10/718,791
U.S. Patent No.: 6,907,843

Filed: 24 November 2003
Issued: 21 June 2005

For: **FEED METERING AND ANIMAL
IDENTIFICATION DEVICE WITH LOAD
SENSOR AND CLOSING MEANS**

Confirmation No. 1565

MAR 08 2010

Art Unit: 3643

OFFICE OF PETITIONS

Examiner: Robert P. Swiatek

Atty. Docket: 04132.0125.000000

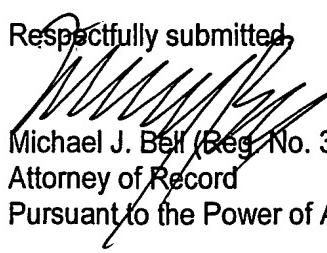
AUTORIZATION TO CHARGE FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment in conjunction with the contemporaneously filed Request for Correction of Entity Status, including any petition fees, to Deposit Account No. 08-3038 referencing Docket No. 04132.0125.000000. If extensions of time under 37 CFR §1.136 are required to prevent expiration/abandonment of the present patent/application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to Deposit Account No. 08-3038 referencing Docket No. 04132.0125.000000.

Respectfully submitted,


Michael J. Bell (Reg. No. 39,604)

Attorney of Record

Pursuant to the Power of Attorney filed contemporaneously

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**SECOND REQUEST FOR CORRECTION OF ENTITY STATUS AND
PETITION UNDER 37 CFR §1.28(C) TO ACCEPT DEFICIENCY IN PAYMENT OF FEES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper and petition is submitted to correct the entity status for the above-referenced patent and its corresponding application and to petition the Office to accept the deficiency in payment of fees corrected hereby pursuant to 37 C.F.R. §§1.27 and 1.28.

The Assignee of Record recently became aware that its US patent counsel had continued to improperly claim small entity status subsequent to the assignee's loss of this entitlement on January 1, 1994. Thus, all fees paid in this application from January 1, 1994, to present must be adjusted to the full and correct value.

On 15 April 2009, Assignee submitted a petition and request for correction of entity status and acceptance of deficiency in payment, along with the appropriate fees in the form of a check. The check was retained and credited against this patent, but the petition was dismissed for incorrectly stating the reel and frame number of the assignment. Therefore, Assignee hereby again requests that the Office correct the entity status of the patent and corresponding application. Assignee further requests that the Office

accept and process the deficiency payment previously submitted in accordance with 37 CFR 1.28(C). The requirements pertaining to calculation of the deficiency owed and itemization of the deficiency in payment in accordance with 37 CFR 1.28(C)(2) can be found in Exhibit B.

Submitted herewith as Exhibit A is a Revocation of Power of Attorney and New Power of Attorney and Change of Correspondence Address, together with a Statement Under 37 C.F.R. §3.73(b), signed by the agent authorized to act on behalf of the Assignee.

Also submitted in Exhibit B is an itemized listing of all fees paid, after January 1, 1994, during prosecution of this application, as Issue Fee payment, as Maintenance Fees, and as any other fees paid. All applicable surcharges are also included therein. This list is believed to be a comprehensive listing of all applicable fees and corresponding deficiencies. The correct fee amounts are calculated for the present date. The total deficiency is calculated at the bottom of the table and any applicable petition fees in accordance with 37 CFR 1.28(C)(3) and 1.17(i) is added thereto. Payment for the balance due is attached hereto in the form of a check made out to the Commissioner, United States Patent Office.

The last submission, Exhibit C, is a form PTO/SB/45 completed for correction of the maintenance fees paid under the incorrect entity status. Please note that the fees indicated on the SB/45 form are duplicative to those listed as maintenance fees in the Exhibit B. Thus the total amount indicated in Exhibit B is inclusive of all maintenance fee corrections.

Acceptance and correction of the entity status and corresponding fees are respectfully requested.

Respectfully submitted,



Maurice Corten
Authorized Agent for Lely Enterprises A .G.

EXHIBIT A



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OFFICE OF PETITIONS

Approved for use through 11/30/2011. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number:

22930

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number
Kamand Cuneo	60,427		

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

22930

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address:

LELY ENTERPRISES A.G.
20 Butzenweg
CH-6300 ZUG, SWITZERLAND

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date 2/23/10
Name	Maurice Corten	Telephone 011.31.10.59.96.333
Title	Authorized Agent for Lely Enterprises A.G.	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OFFICE OF PETITIONS

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Karel van den Berg

Application No./Patent No.: 10/718,791 / 6,907,843

Filed/Issue Date: 24 Nov. 2003 / 21 June 2005

Titled: FEED METERING AND ANIMAL IDENTIFICATION DEVICE WITH LOAD SENSOR AND CLOSING MEANS

LELY ENTERPRISES A.G. , a A Swiss Limited Liability Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest in;
2. an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either:
 - A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 022678 , Frame 0336 , or for which a copy therefore is attached.

OR

- B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



02/23/10

Date

Signature

Maurice Corten

Authorized Agent

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT B

EXHIBIT C

REQUEST FOR CORRECTION OF ENTITY STATUS
Itemization of the Deficiency Payment

<i>Application No.</i>	<i>Type of fee Paid as Small Entity</i>	<i>Payment Date of Small entity Fee</i>	<i>Small Entity Fee Actually Paid</i>	<i>Current Fee Amount for Non-Small Entity</i>	<i>Surcharge Fee</i>	<i>Deficiency Amount Owed</i>
10/718,791 6,907,843	Filing Fee	Nov. 24, 2003	\$385	\$850		\$465
	Terminal Disclaimer	Oct. 5, 2004	\$55	\$140		\$85
	Extension of Time (3 months)	Oct. 5, 2004	\$490	\$1,110		\$620
	Petition to Revive—Unintentional	Feb. 10, 2005	\$750	\$1,620		\$870
	Issue Fee	Feb. 10, 2005	\$700	\$1,510		\$810
	Publication Fee	Feb. 10, 2005	\$300	\$300	0	0
	Paid to the USPTO with petition filed 15 April 2009 which was Dismissed	Apr. 20, 2009	\$2850			-\$2850
	Maintenance Fee	Dec. 22, 2008	\$490	\$980		\$490
Total Deficiency Payment Owed						
Petition Fee for Petition under 37 CFR 1.28(c)						
TOTAL PAYMENT						
					0	\$490
						\$490